GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:1819
ANSWERED ON:01.12.2009
HEADEND IN THE SKY
Sugavanam Shri E.G.

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government proposes to introduce Headend in the Sky (HITS) scheme in the broadcasting sector;

(b) if so, the details thereof alongwith the salient features thereof;

(c) whether the Union Government has cleared the recommendations made by the Telecom Regulatory Authority of India (TRAI) in this regard;

(d) if so, the details thereof;

(e) whether the Government proposes to set up an independent broadcasting regulator; and

(f) if so, the details thereof and the time by which HITS is likely to be functional?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI C. M. JATUA)

(a), (b), (c) & (d) : Yes Sir., The Government considered the recommendations of Telecom Regulatory Authority of India and finalized the policy guidelines for Headend-in-the-Sky (HITS) services. A proposal alongwith the draft guidelines was submitted on 30.10.2009 to the Union Cabinet for approval of the policy and issue of guidelines for providing HITS services. The Union Cabinet in its meeting held on 12.11.2009 approved the proposal of the Ministry to issue policy guidelines for provision of HITS Services. Salient features of the policy on HITS are given in the annexure.

(e) : The Ministry had in the Year 2007 prepared a proposal to set up a Broadcasting Regulatory Authority of India by enactment of a Legislation for ensuring orderly growth of broadcasting services. The Draft of the Broadcasting Services Regulation Bill, 2007, which is available on this Ministry's website www.mib.nic.in interalia provides terms of reference, objectives and composition of the proposed Authority. However, concerns have been expressed by various sections in the media with respect to the need, scope, functional and financial autonomy and independent functioning of the proposed Regulator.

Ministry has initiated vide ranging consultations with stakeholders for arriving at a consensus on this issue. The Ministry has already held consultations with Indian Broadcasting Foundation, Multi System Operator (MSO) Alliance, News Broadcasters Association (NBA), Broadcast Editors Association (BEA) and the Cable Operators Federation of India (COFI). A task force of Ministry's officials and representatives of the Broadcasters is envisaged to hold further interactions with diverse stakeholders to understand their perspective and submit a roadmap for the setting up of an independent Broadcast Authority.

(f) : The Ministry has issued an order on 26.11.2009 to make the policy functional. The detailed policy guidelines are available on the website (www.mib.nic.in) of the Ministry. Two companies namely M/s. ASC Enterprises Ltd. (Now Dish TV India Ltd.) and Noida Software Technology Park Ltd. (NSTPL) have been granted license in the year 2003. They are now required to conform to the present policy guidelines. One licensee M/s. Dish TV India Ltd. has already operationlised the HITS Services in the country.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PART (a), (b), (c) and (d) OF THE LOK SABHA UNSTARRED QUESTION NO. 1819 TO BE ANWSERED ON 01-12-2009

(a), (b), (c) and (d) : Salient features of the Policy Guidelines for Headend-in-the-Sky (HITS) services are as under: -

It provides for an enabling regulatory environment for HITS operators. The guidelines are exhaustive and provide for complete procedure for obtaining permission and conditions thereto.
HITS services are allowed in both 'C-Band' and 'Ku- Band'.
HITS operators can uplink from Indian soil only and will have to install SMS and encryption system.
They are not permitted to provide signals directly to the subscribers. However if HITS operator is also MSO/Cable Operator, he can do so through his distribution network.

Total direct and in direct foreign investment including FDI is allowed upto 74%. Prior FIPB approval will be required if the FDI in beyond 49%.
The cross media holding restriction of 20% of total paid up equity has been prescribed for various segment of broadcasting services. These restrictions have been provided to avoid vertical integration and to promote competition.
There is no restriction on number of permissions. All those found to be eligible and fulfill the terms and conditions can apply for license to the Government in the Ministry of Information and Broadcasting.
Existing permission holders of HITS will have to comply and migrate to new policy regime within three months failing which their permission shall be cancelled.
Sufficient provisions exist under the guidelines for monitoring of content, inspection and national security related issues etc.